



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 01/07/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN  
CRL OP (MD) . No.6716 of 2020

Mahalakshmi

... Petitioner/Accused

Vs

The State through  
The Inspector of Police,  
Peraiyur Police Station  
Madurai District

Crime No. 48 of 2020. ... Respondent/Complainant

For Petitioner : M/s. R.Maheswaran,  
Advocate.

For Respondent : Mr.S.Chandarasekar,  
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 48 of 2020 on the file of  
the respondent police.

ORDER : The Court made the following order :-

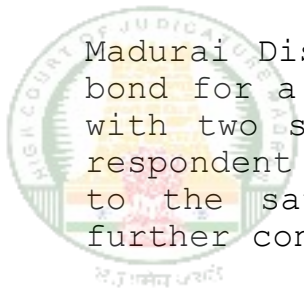
Heard the learned counsel appearing for the petitioner and the  
learned Additional Public Prosecutor appearing for the respondent.

2.The petitioner herein who is the foster-mother of the first  
accused apprehends arrest at the hands of the respondent police for  
the alleged offence under Section 366 of IPC and Section 6 r/w 5(1), 17 of Protection of Child from Sexual  
Offences Act and Section 9 of Child Marriage Act and Section 506(ii)  
of IPC.

3.The case of the prosecution is that, the first accused eloped  
with a minor girl and got married. This petitioner who is the  
second accused assisted the child marriage.

4.Considering the nature of allegation, this Court is inclined  
to grant anticipatory bail to the petitioner with certain  
conditions.

5.Accordingly, the petitioner is ordered to be released on bail  
in the event of arrest or on her appearance, within a period of four  
weeks from the date of receipt of a copy of this order, before the  
learned District Munsif-cum-Judicial Magistrate Court, Peraiyur,



Madurai District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) petitioner shall report before the respondent police as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
01.07.2020

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/ /2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SJI

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. The District Munsif-cum-Judicial Magistrate Court,  
Peraliyur, Madurai District

<https://hcservices.ecourts.gov.in/hcservices/>



2. Do-Through The Chief Judicial Magistrate,  
Madurai District.

3. The Inspector of Police,  
Peraiyur Police Station  
Madurai District.

4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.6716 of 2020

Date : 01/07/2020

VB SKN SAR 2 (03.07.2020) 3P 5C